

JUDGE PHILIP MARTINEZ

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

2016 MAY -4 PM 2: 55

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAUL HERNANDEZ (2)

Defendants.

§ CRIMINAL NO. EP-16-CR-

§

§ SEALED

§ INDICTMENT

§

§ CT 1: 21:846 & 841(a)(1)-Conspiracy to

§ Possess a Controlled Substance with

§ Intent to Distribute;

§ CT 2: 21:963-Conspiracy to Import

§ a Controlled Substance; and

§ CT 3: 21:846 & 841(a)(1)-Conspiracy to

§ Possess a Controlled Substance with

§ Intent to Distribute.

**EP16CR0791**

THE GRAND JURY CHARGES:

COUNT ONE

(21 U.S.C. §§ 846 & 841(a)(1))

That on or about February of 2015, in the Western District of Texas, and elsewhere,

Defendants,

**RAUL HERNANDEZ (2),**

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, with others to the Grand Jury known and unknown, to commit offenses against the United States, in violation of Title 21, United States Code, Section 846, that is to say, they conspired to possess a controlled substance with intent to distribute same, which offense involved a quantity a mixture or substance containing a detectable amount of heroin, a Schedule I Controlled Substance, contrary to Title 21, United States Code, Sections 841(a)(1) in the quantities set forth below:

**QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY**

The quantity of heroin involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY	STATUTE
	One kilogram or more of a mixture or substance containing a detectable amount of heroin	841(b)(1)(A)(i)
RAUL HERNANDEZ (2),	One kilogram or more of a mixture or substance containing a detectable amount of heroin	841(b)(1)(A)(i)

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

(21 U.S.C. § 963, 952(a), 960(a)(1) & 960(b))

That on or about July 15, 2015, in the Western District of Texas, Defendant,

**RAUL HERNANDEZ,**

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, with others to the Grand Jury known and unknown, to commit offenses against the United States, in violation of Title 21, United States Code, Section 963, that is to say, they conspired to import a controlled substance, which offense involved marijuana, a Schedule I Controlled Substance, into the United States from Mexico, in violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and 960(b) in the quantities set forth below:

**QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY**

The quantity of the mixture or substance containing marijuana involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY	STATUTE
RAUL HERNANDEZ	a quantity of a mixture or substance containing a detectable amount of marijuana	21 U.S.C. § 960(b)(4)

All in violation of Title 21, United States Code, Section 963.

**COUNT THREE**

(21 U.S.C. §§ 846, 841(a)(1) & 841(b))

That on or about July 15, 2015, in the Western District of Texas, Defendant,

**RAUL HERNANDEZ,**

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, with others to the Grand Jury known and unknown, to commit offenses against the United States, in violation of Title 21, United States Code, Section 846, that is to say, they conspired to possess a controlled substance, which offense involved marijuana, a Schedule I Controlled Substance, with intent to distribute same, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b) in the quantities set forth below:

**QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY**

The quantity of the mixture or substance containing marijuana involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY	STATUTE
RAUL HERNANDEZ	a quantity of a mixture or substance containing a detectable amount of marijuana	21 U.S.C. § 841(b)(1)(D)

All in violation of Title 21, United States Code, Section 846.

A TRUE BILL.

ORIGINAL SIGNATURE  
REDACTED PURSUANT TO  
E-GOVERNMENT ACT OF 2002

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FOREPERSON OF THE GRAND JURY

RICHARD L. DURBIN, JR.  
UNITED STATES ATTORNEY

BY:

  
\_\_\_\_\_  
Assistant U.S. Attorney